

REMARKS

Claim Rejections - 35 USC 102

Claims 1, 2, 4, 5, 8, and 9 are rejected under 35 USC 102(e) as being anticipated by US 2001/0010592 (Nakamura). The rejection is respectfully overcome by amendments to independent claims 1 and 8 made herein, as explained by these remarks.

In view of the Examiner's interpretation that a single physical beam passageway through a zoom system comprises more than one channel if the beam is divided by a beam splitter after the beam exits the zoom system, applicant has amended claims 1 and 8 to explicitly require that the claimed at least three channels "pass entirely through the zoom system while remaining spatially separated from one another."

Nakamura, like other prior art systems, discloses two spatially separated channels passing through the zoom system. Light traveling through the zoom system can travel only along one of the two channels, and must be divided after it exits the zoom system if additional observation outputs are intended, which is what Nakamura discloses. Thus, while it is the Patent Office's position that four channels exist in the zoom system of Nakamura, these "channels" do not "pass entirely through the zoom system while remaining spatially separated from one another" as now claimed.

In view of the present amendments, removal of the rejection is respectfully sought.

Claim Rejections - 35 USC 103

Claims 6 and 7 are rejected under 35 USC 103(a) as being unpatentable over Nakamura in view of US 5052789 (Kleinberg). The rejection is respectfully overcome by the amendment to parent claim 1 distinguishing over the primary reference Nakamura as explained above. Removal of the rejection is respectfully requested.

Claim 10 is rejected under 35 USC 103(a) as being unpatentable over Nakamura in view of US 2003/0165012 (Straehle). The rejection is respectfully overcome by the amendment to parent claim 1 distinguishing over the primary reference Nakamura as explained above. Removal of the rejection is respectfully requested.

Claim 11 is rejected under 35 USC 103(a) as being unpatentable over Nakamura in view of US 6356088 (Simon et al.). The rejection is respectfully overcome by the amendment to parent claim 1 distinguishing over the primary reference Nakamura as explained above. Removal of the rejection is respectfully requested.

Claim 12 is rejected under 35 USC 103(a) as being unpatentable over Nakamura in view of US 5861982 (Takahama et al.). The rejection is respectfully overcome by the amendment to parent claim 1 distinguishing over the primary reference Nakamura as explained above. Removal of the rejection is respectfully requested.

Claim 13 is rejected under 35 USC 103(a) as being unpatentable over Nakamura in view of US 6081371 (Shioda et al.). The rejection is respectfully overcome by the amendment to parent claim 1 distinguishing over the primary reference Nakamura as explained above. Removal of the rejection is respectfully requested.

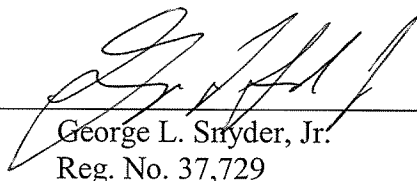
Claim 14 is rejected under 35 USC 103(a) as being unpatentable over Nakamura. The rejection is respectfully overcome by the amendment to parent claim 1 distinguishing over Nakamura as explained above. Removal of the rejection is respectfully requested.

Conclusion

By virtue of the amendments made herein, the present application is placed in a condition for allowance, and a Notice of Allowance is respectfully requested. If the Examiner has any questions, or the attorneys for applicant can assist in any way, the undersigned attorney may be contacted at the number provided below.

Respectfully submitted,

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